

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RONALD F. MARTINEZ,

Plaintiff,

v.

W.L. MUNIZ, et al.,

Defendants.

Case No. 18-cv-02291-HSG (PR)

**ORDER STAYING ACTION AND  
REFERRING FOR SETTLEMENT  
PROCEEDINGS**

On April 17, 2018, plaintiff, an inmate at Corcoran State Prison, filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983 claiming that he was retaliated against for filing prior federal district court actions against his jailors at Salinas Valley State Prison (“SVSP”), where he was previously incarcerated. On July 17, 2018, the Court reviewed the complaint and found that, liberally construed, it stated cognizable First Amendment claims against seven defendants. Defendants have been served and have appeared through counsel.

The Court notes that plaintiff brought a previous federal action alleging similar claims. *See Martinez v. Muniz*, C 14-3753 HSG (PR) (N.D. Cal.). That case settled. *See id.* at dkt. no. 117. Given this history, the Court finds this action suitable for early settlement proceedings before a magistrate judge.

Accordingly, good cause appearing,

1. The schedule for dispositive motions set forth in the Court’s July 17, 2018 order of service is VACATED. The Court will set a new briefing schedule if the case does not settle.

2. The Court refers this action to Magistrate Judge Robert Illman pursuant to the Pro Se Prisoner Mediation Program for settlement proceedings. Such proceedings shall take place within 120 days of the date this order is filed, or as soon thereafter as Magistrate Judge Illman’s calendar

1 will permit. Magistrate Judge Illman shall coordinate a place, time, and date for one or more  
2 settlement conferences with all interested parties and/or their representatives and, within fifteen  
3 days of the conclusion of all settlement proceedings, shall file with the Court a report thereon.


4 The Clerk shall forward a copy of this Order to Judge Illman's chambers.

5 3. Pursuant to plaintiff's request (dkt. no. 23), the Clerk shall send plaintiff a copy of the  
6 Court's July 17, 2018 order of service (dkt. no. 5), along with a copy of this order.

7 4. The case is STAYED pending the settlement proceedings. The Clerk shall  
8 ADMINISTRATIVELY CLOSE the action until further order of the Court.

9 **IT IS SO ORDERED.**

10 Dated: 9/13/2018

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13 HAYWOOD S. GILLIAM, JR.  
14 United States District Judge  
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